

GREGG AND WILSON FINED \$1 APIECE

MEN PLEADED GUILTY; FINED THIS MORNING

Smoky Valley Settlers Who Were Thrown in County Jail Over Sunday Are Now at Liberty--Case Will Not Be Dropped and Friends will See That They Are Not "Railroaded"

F. H. Wilson and I. G. Gregg, who were brought here and lodged in jail on a contempt of judgment proceedings brought by Key Pittman, pleaded guilty to the charge and were fined one dollar apiece by Judge Taber, in the district court, but the defendants not having quite this sum of money on hand, were helped out by their counsel contributing one dollar for each prisoner and the "desperate criminals" were turned loose to "prey" upon the public.

It is alleged: In arguing his own case this morning, Attorney Key Pittman said that the decisions of the court must be sustained or there would be no law and anarchy would rule in this country.

The history of this case dates back a few months. Wilson, on November 10, 1910, squatted on land in the Smoky valley, near Round Mountain. Gregg on December 19, 1910, squatted near Wilson's place. The land was surveyed about thirty years ago, and the corners have long ago disappeared. Wilson and Gregg, in settling and taking up the land, did so under the homestead act, which gives them ninety days to locate their corners, where the corners are not defined. The men have resided on their ground since that date and their intentions were to farm and to improve the land, as the government intended it should be, when the act was passed.

On the 25th day of January, 1911, it is alleged that Key Pittman and Mimosa G. Pittman filed on 640 acres of land under the desert land entry act, which acts call upon the filers to swear that the land is arid; does not contain natural grass of any commercial value, etc. A part of this oath is as follows:

"That said land is not naturally irrigated or watered, nor overflowed at any season of the year by the foregoing or any other natural stream, spring, or other body of water; that I expect to obtain my water supply to irrigate said land from; that the character of the soil is; that said land will not, without artificial irrigation, produce an agricultural crop of any kind in amount reasonably remunerative, and that it will not, when unfed by grazing animals, produce native grasses sufficient in quantity to make an ordinary crop of hay in usual seasons; that there are no trees on said land; that the same is essentially dry and arid land, wholly unfit for cultivation without artificial irrigation; that said land can not be successfully cultivated without being reclaimed by conducting water thereon; that it is a fact well known, patent, and notorious, that the same will not, in its natural condition, produce any crop; that no portion of said land has ever been reclaimed by conducting water thereon, and there are no lands in the vicinity of this tract that are occupied by settlers and cultivated without artificial irrigation. And I further declare that I have personally examined every legal subdivision of the said land and there is not, to my knowledge, within the limits thereof, any vein or lode of quartz, or other rock in place, bearing gold, silver, cinnabar, lead, tin or copper, or any deposit of coal; that there is not, within the limits of said land, to my knowledge, any placer, cement, gravel, or other valuable mineral deposit, salt springs, or deposits of salt; that no portion of said land

is claimed for mining purposes under the local customs or rules of miners, or otherwise; that no portion of said land is worked for mineral during any part of the year by any person or persons; that said land is essentially non-mineral land, and that my declaration therefore is not made for the purpose of fraudulently obtaining title to mineral land, timber land, or agricultural land, but for the purpose of faithfully reclaiming the land above described by conducting water thereon, and that the land is not occupied and improved by any Indian and is unoccupied, unimproved, and unappropriated by any person claiming the same other than myself (except)." Note.—Every person swearing falsely to the above affidavit will be punished as provided by law for such offense. See Sec. 5392, R. S., below.)

Sec. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years; and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. (See Sec. 1750.)

Note.—In addition to the above penalty, every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit pertaining to any matter within the jurisdiction of the secretary of the interior may be punished by fine or imprisonment.

GOLDFIELD RIFLE CLUB AGAIN ACTIVE

GOLDFIELD RIFLE CLUB ELECTS OFFICERS AND PERFECTS NEW ORGANIZATION.

After several months of inaction, the Goldfield Rifle and Revolver club is again taking on life, and it is probable that the summer will witness some excellent matches, in which it is predicted the Goldfield men will stand winner many times.

The annual election of officers has been held and the following were elected: George Wingfield, president; Marvin L. Yerington, vice president; A. J. Enneking, treasurer; Dan Renear, secretary, and B. M. Colwell, captain.

The trap will be located at the foot of Crook street on what is known as the 1200-yard range, with the malpais for a background. The target, which is of the latest disappearing pattern, has been repaired and enclosed and secretary Renear is working cleaning out the pit and getting all in readiness for the first practice shoot.

Among the members are Tom Ryan, court bailiff, and an expert rifle shot; Billy Murray, W. E. Johnson and a score of others, each of whom can be depended on for some excellent shooting.

The local association is affiliated with the National Rifle association, and the prizes of the latter organization will be available for high scores made by local men.

Tonopah is now organizing a club and Round Mountain will fall in line soon. Inter-city shoots will occur during the summer, with probability of matches between Goldfield men and a squad from the State Police as well as the Reno Rifle club in the near future.

Maurice J. Sullivan, who owns an excellent trap, will shortly remove it alongside the club trap so that the general public interested in shooting may have practice in order to qualify for the club membership.

Destruction of the battleship Texas at Idora tonight only.

ers from Goldfield in his machine, and a night session called, and the court issued warrants for the arrest of Wilson and Gregg on a charge of contempt of judgment of court and the men were brought to Tonopah on Saturday night and lodged in jail. The judge was returned to his home in Goldfield on the night he ruled in the case.

In court it was decided that Key Pittman should harvest the hay on the ground in dispute and stack it separately from the balance of "his land." There has been quite a little indignation expressed about the treatment accorded Mr. Wilson and Mr. Gregg, and several have expressed a willingness to subscribe toward a fund to see that they are not "railroaded off" the ground which they claim as a homestead.

It is alleged that others have stated that if Mr. Pittman did take up this land under the desert land act that he has perjured himself in swearing that it is land that is open to this class of entry—which is arid land.

The defendants claim that they can bring witnesses to swear that hay has been harvested from this land for thirty years.

Mr. Gregg states that there is native grass on the land in dispute that is knee deep, and has a photograph of the same, showing a setter dog in the grass, and all you can see is the back of the animal as it is racing through the grass.

Mr. Gregg also states that the grass, when harvested, is worth \$20 a ton and that on the ground homesteaded by Mr. Wilson and himself there are at least \$1000 worth of hay.

The Bonanza has forwarded some photographs of this "arid" land for half-tones to be made of the same, and will publish them, so that the public "may know."

DEATH NUMBER STILL INCREASING

EXPLOSION OF RIVER PACKET CITY OF ST. JOSEPH PROVES MOST DEADLY.

MEMPHIS, Tenn., June 27.—The death list resulting from the explosion of the river packet City of St. Joseph, six miles below here, yesterday afternoon, was swelled to seventeen today. Two more will die.

In accounting for the crew yesterday it was found that eight instead of six negroes lost their lives almost instantly, five being drowned and three scalded to death.

Engineer Floyd Morgan is so terribly scalded that hopes for his recovery have been abandoned.

Morgan, this morning, however, was able to state that violation of a government regulation of boilers probably was responsible for the explosion. A federal investigation is expected.

SINKING OF THE TEXAS WILL BE SHOWN TONIGHT

BIG PICTURE WILL BE REPRODUCED BY REQUEST OF THE MANY PATRONS.

The whole city is excited over the pictures and vaudeville at the Idora theater, and the one topic of conversation on the streets of Tonopah today has been: "Have you seen the battleship Texas pictures?"

These pictures were brought to the Idora theater at great expense, and the management had made arrangements to keep them here only for one day, but owing to the great crowds who witnessed it last night being so enthusiastic over it, and so many expressing a desire to see it once more, telegrams were sent asking for its use again today, and it will be shown tonight for the last time in Tonopah.

The consensus of opinion is that it is the most wonderful accomplishment ever attempted—the taking of moving pictures of the destruction of a huge battleship as in actual warfare.

The other pictures for tonight are: "The Atonement," by Essanay; "Heroes Three," and "Mistakes Will Happen," by Edison.

Tonight the St. Juliens will present a different act from the one Sunday. They are the cleverest acrobatic team ever seen in this section of the country.

A scene from the Camorrist trial will also be shown. This is a case which is of world-wide interest.

Destruction of the battleship Texas at the Idora tonight only.

TEMPERATURE IN KANSAS IS 114

KANSAS CITY, June 27.—A scorching wind from the south has blown all day over eastern and central Kansas and western Missouri and sending temperature to new high records. Reports from but one county in Missouri tell of rain. This was at Haysville, in Wright county.

In Kansas City the temperature reached 100 degrees.

At Salina and McPherson, Kan., the temperature reached 114 degrees, breaking the records for the last twenty-six years. Temperatures in other Kansas towns yesterday were: Manhattan, 113; Abilene, 112; Concordia, 102; Emporia, 106; Kinsley, 100, and Strong City, 111.

Only reliable advertisers thrive. The public realizes on their risk.

Our "Want Ads" bring results.

MYSTERY MAY NEVER BE KNOWN

GENERAL BIXBY IN CHARGE OF WORK SAYS SECRET OF EXPLOSION IS HIDDEN.

TAMPA, Fla., June 27.—"The secret of the destruction of the battleship Maine will never be known," said General W. H. Bixby, chief of engineers in charge of the work of raising the Maine, on his arrival here yesterday from the city of Havana.

The destruction to the vessel was such, says General Bixby and the deterioration has been so great that it will be impossible to tell whether the ship was blown up from a force within or without.

The greatest force, however, was from the inside, indicating that the forward magazine had exploded.

Whether this was from a sympathetic explosion caused by a torpedo from the outside may forever remain a mystery.

General Bixby says that unless the fragment of a torpedo is found there is no way of connecting some outside agency with the blowing up of the vessel.

"We do not expect to find any human remains," said the general. "The crews' compartments have disappeared entirely."

ACCIDENT BEING INVESTIGATED AT CAMP OF BLAIR

PETERSON, THE TONOPAH MAN, WHO WAS INJURED, TAKEN TO THE COAST.

C. T. Richey, deputy sheriff at Blair, arrived in this city yesterday in quest of Nester Eksola, who is wanted at that place as a witness in the placing of the responsibility of the accident that occurred in the Valcald tunnel when miners drifted into a missed hole, killing one instantly, seriously injuring three, one of whom, an Austrian, has since died. Eksola was found in this city, where he has been receiving treatment from Dr. Grigsby for injuries sustained at the time of the accident. The deputy and the witness left this morning for Blair. Mr. Richey says that Mr. Peterson, who is well-known in Tonopah, and who had his eyesight almost completely destroyed in the explosion, has been taken to San Francisco for treatment. Deputy Mine Inspector Gaughan is in Blair to represent the mine inspector's office.

\$20,000 MORE FROM MAN. BIG FOUR

Shipments totaling fully \$20,000 have been received from the Big Four lease at Manhattan in the past ten days. The ore is reported to be running better than expected, and the War Eagle mill is cleaning up the plates almost daily. This lease promises to make a record.

BUSINESS HOUSES TO BE DECORATED

Tomorrow morning a Fourth of July committee will call on the business men to talk over the proposition of decorating their respective stores for the Fourth. The time is short, so all should be ready.

The Texas was destroyed as in actual warfare. See it in motion pictures at the Idora. Tonight is the last chance.

Our "Want Ads" bring results.

SHOOTING AFFRAY IN ALABAMA

POLICEMAN DEAD, OTHERS SERIOUSLY WOUNDED AND ASSAILANTS RIDDLED.

ANNISTON, Ala., June 27.—Policeman John L. Cunningham is dead; Police Chief Nathan Glosson is seriously wounded; Officer James Glasswood is shot through the wrist, and W. S. McGuffin, a pipe moulder, charged with having killed the one and wounding the two officers, is in a hospital riddled with small shot fired by an unidentified man who was in the posse that caught him.

McGuffin, it is said, was resisting arrest on a charge of intoxication. The town is excited and numerous threats of lynching prompted officers to move McGuffin to the county jail from the hospital. It is not believed he is fatally wounded, though shot in many places.

WILL NOT HOLD RACE UP MOUNT ODDIE ON FOURTH

There will be no race up Mount Oddie this Fourth, and long distance runners will have a chance to show their speed in a mile race, to be held on Main street.

Ed Malley, of the sports committee, is mapping out a course that will start from in front of the Mizpah and go down Main to the Blacksmith shop of Dan Robb, back up Main to the street crossing by Dr. Grigsby's residence in front of the court house, down Florence avenue to Main and down Main to the Mizpah. This race should prove interesting to the crowds on the streets, as they will see the runners for almost the entire distance.

STANLEY HOUSEL TO ARRIVE HERE NEXT SATURDAY

BIG SPORTING PROGRAM ON AT NEVADA THEATER ON NIGHT OF JULY THIRD.

At the Nevada theater for the night of July 3rd one of the biggest sporting events ever pulled off in Southern Nevada will take place. The wrestling match to a finish for a \$1000 purse between Stanley Howsel of Grass Valley and Prof. Braun, the instructor of Volunteer Firemen's gymnasium, will be the main event for this occasion, and one of the very best matches will be seen, as these men have met before and the Grass Valley papers claim it was one of the best matches ever seen.

The preliminary will be a ten-round boxing contest between King Pierce of Tonopah and Battling Irvin of Goldfield. Everybody attending is assured that these bouts will be on their merits and it will be for a good cause, as the receipts less the expenses, go to the Fourth of July celebration.

Ed Malley has received a telegram from Stanley Howsel, the Grass Valley wrestler, that he will leave there next Friday and arrive in Tonopah on Saturday afternoon.

POSTMASTER HERE ON IMPORTANT BUSINESS

George A. Southworth, assistant postmaster at Manhattan, is in the city on business today, and it is rumored, that he will arrange for a bulldog and badger fight to be held in Manhattan on the Fourth of July.

Our ads bring results.